

Woodward v. US, 214 US 82 (1918)

Treas. Dept. Engineer loaned to FBI. Did full
Treas. job at same time helping install FBI
lighting plant. It was designated by Treas.
Approp. did not provide for IT's services. No K
between IT & FBI. Ct. found that IT not called
on to render service required by law for which
remuneration was fixed. Came under provision
of R.S. 1765. (Saunders Case cited.)

US v. Saunders, 120 US 126 (1887)

Clerk of Court on Commence in House Rep. 7/84 - 1/86 when
successor appointed, 3/85 made Clerk in office of Pres.
Salary denied for House job from 3/85 - 1/86. Appropriation
covered House job, given salary in Pres. job. Ct. found
Act aimed at preventing person holding an office or
appointment for which compensation provided - from
getting extra comp for services required by Act of
Congress or head of dept - BUT not apply to two
distinct offices, each with own duties & own
compensation, which may both be held by the
person at same time. In latter case, he is two
officers - in former, he performs added duties
under appointment to single place & no added
comp for that class of duties unless provided for
by special legislation.

Case seems to be law - questioned by US v. Shea.